

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

ZACH ELLIS, GERONIMO PEREZ,	§	
ARTURO SALINAS, JARROD M.	§	
DANIEL, and KERRY TAWATER,	§	
Individuals	§	
	§	
Plaintiffs	§	
	§	
vs.	§	CASE NO. 2:15-CV-00058-J
	§	
TRI-STATE OIL FIELD SERVICES, Inc.,	§	
a Texas Corporation, RICARDO “RICKY”	§	
CANTU, and individual, RICK’S TOWING	§	
OF AMARILLO, LLC, a Texas limited	§	
liability company, KATRINA KINCAID, an	§	
individual, and CANTU TOWING, LLC, a	§	
Texas limited liability company,	§	
	§	
Defendants	§	

**DEFENDANT RICARDO “RICKY” CANTU ANSWER  
TO PLAINTIFFS ORIGINAL COMPLAINT**

COMES NOW the Defendant, RICARDO “RICKY” CANTU (“Ricardo “Ricky” Cantu”), by and through its undersigned counsel, Darrell R. Carey, and files its Answer to Plaintiff’s Complaint as follows:

1. Ricardo “Ricky” Cantu admits that Plaintiff has brought an action under the Fair Labor Standards Act, 29 U.S.C. § 216 (b), but denies that Plaintiff states a claim upon which relief can be granted and further denies the remaining allegations in ¶ 1 of Plaintiff’s Complaint.

2. Ricardo “Ricky” Cantu lacks knowledge or information sufficient to form a belief about the truth of the allegations in ¶ 2 of the complaint.

3. Ricardo “Ricky” Cantu admits that Plaintiffs Zach Ellis and Arturo Salinas were employees of Tri-State Oil Field Services but denies the remaining allegations in ¶ 3 of Plaintiff’s Complaint.

4. Ricardo “Ricky” Cantu admits that he may be served at his office at 3710 Tradewind Street, Amarillo, Texas. Defendant denies that he is jointly and severally liable for the acts of Tri-State Oil Field Services, Inc., Ricky’s Towing of Amarillo, LLC and Cantu Towing, LLC. Defendant denies the remaining allegations in ¶ 4 of Plaintiff’s Complaint

5. Ricardo “Ricky” Cantu admits that Plaintiffs Zach Ellis and Arturo Salinas were employees of Tri-State Oil Field Services. Defendant denies the remaining allegations set forth in ¶ 5 of Plaintiff’s Complaint.

6. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 6 of Plaintiff’s Complaint and denies that Defendant is jointly and severally liable for the acts of Tri-State Oil Field Services, Inc., Ricky’s Towing of Amarillo, LLC, and Cantu Towing, LLC.

7. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 7 of Plaintiff’s Complaint.

8. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 8 of Plaintiff’s Complaint.

9. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 9 of Plaintiff’s Complaint.

10. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 10 of Plaintiff’s Complaint.

11. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 11 of Plaintiff’s Complaint.

12. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 12 of Plaintiff’s Complaint.

COUNT ONE - FLSA

13. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 13 of Plaintiff’s Complaint. The complaint fails to state a claim of upon which relief can be granted as to Defendant Ricardo “Ricky” Cantu.

COUNT TWO – Tort of Retaliation for Complaining about Overtime  
and Working Conditions

14. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 14 of Plaintiff’s Complaint. The complaint fails to state a claim of upon which relief can be granted as to Defendant Ricardo “Ricky” Cantu.

15. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 15 of Plaintiff’s Complaint.

16. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 16 of Plaintiff’s Complaint.

17. Ricardo “Ricky” Cantu denies the allegations set forth in ¶ 17 of Plaintiff’s Complaint.

PRAYER

WHEREFORE, Defendant Ricardo “Ricky” Cantu respectfully requests that the Court:

A. Enter judgment in Ricardo “Ricky” Cantu’s favor.

B. Award Ricardo “Ricky” Cantu its reasonable costs and fees, including attorneys’ fees.

C. Grant Ricardo “Ricky” Cantu such other and further relief as the Court deems just and proper

Respectfully Submitted

/s/ Darrell R. Carey  
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**CERTIFICATE OF SERVICE**

I certify that a true and exact copy of the Defendant Ricardo “Ricky” Cantu’s Answer to Plaintiffs Original Complaint was served on Jerry McLaughlin and Philip R. Russ on the 12th day of March, 2015.

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/s/ Darrell R. Carey  
Darrell R. Carey